



WIAP # 3-99

SUBJECT: Procurement of Goods and Services under WIA

Statutory Reference: WIA§184

WDC Review Date: 9/21/99

Effective Date: 11/1/99

BACKGROUND

Entities expending WIA funds must comply with federal Uniform Administrative Requirements applicable to their organization. For state and local government, this is OMB Circular A102; for private nonprofits, hospitals, educational institutions, commercial organizations and others, OMB Circular A110 applies.

States are bound to the State's procedures used for purchases made with non-federal funds. Other governmental entities are directed to use their own procurement policies as long as they reflect applicable State and local laws and regulations and those contained in WIA. While procurement procedures for nonprofit and commercial organizations are established in regulations specific to their organizations, these entities are also subject to State requirements if they are operating a federal program for the State.

This policy delineates State policy regarding general procurement procedures.

POLICY

In addition to the requirements established in the Uniform Administrative Requirements applicable to the organizations purchasing goods and services under WIA, found in OMB Circulars A102, A110, and WIA regulations, the following will apply:

1. The "simplified acquisition threshold", over which formal bidding is required for all types of purchases, will be \$25,000 for all entities utilizing WIA funds.
2. When small purchase procedures are used by an entity purchasing WIA goods and services over \$1500, price or rate quotations shall be obtained from an adequate number of qualified sources.
3. Procurement records for purchases of WIA goods and services over \$1500 shall include, at a minimum:

- (a) the rationale for the method of procurement (including justification for any noncompetitive practices) and contract type;
 - (b) basis for contractor selection; and,
 - (c) basis for contract price.
- 4. All negotiated contracts awarded by recipients and subrecipients shall provide that the funding organization, USDOL, the U.S. Comptroller General of the United States, or any of their duly authorized representatives shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to the program for purpose of making audits, examinations, excerpts, and transcriptions.
- 5. Procurement by noncompetitive methods may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and one or more of the following circumstances applies:
 - (a) The item is available only from a single source;
 - (b) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - (c) The awarding agency authorizes noncompetitive proposals; or
 - (d) After solicitation of a number of sources, competition is determined inadequate.

Local procurement policies must incorporate the above requirements.

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